

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HERBERT RIFKIN, Plaintiff, v. FITNESS INTERNATIONAL, LLC, et al., Defendants.	: : : : : : : :	CIVIL ACTION No.: 19-cv-5686
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HERBERT RIFKIN, Plaintiff, v. SEVENTH VENTURE, LLC, et al. Defendants.	: : : : : : : :	CIVIL ACTION No.: 20-cv-4547
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ORDER

AND NOW, this 19TH day of March, 2021, upon consideration of Plaintiff’s Motion for Remand to Pennsylvania Court of Common Pleas (Case No. 20-4547, ECF No. 3), Defendants Seventh Venture, LLC and Eighth Venture, LLC’s (“Ventures”) response thereto (Case No. 20-4547, ECF No. 6), Ventures’ Motion to Consolidate (Case No. 20-4547, ECF No. 2), Plaintiff’s Motion to Compel Depositions and Extend Deadlines (Case No. 19-5686, ECF No. 30), Defendant Fitness International, LLC’s (“Fitness”) Response in Opposition and Cross-Motion for a Protective Order and to Compel Plaintiff’s Deposition (Case No. 19-5686, ECF No. 31), Plaintiff’s Response in Opposition to the Cross-Motion and in Further Support of the Motion to Compel and Extend (Case No. 19-5686, ECF No. 35), Fitness’s Reply in Support of the Cross-Motion (Case No. 19-5686, ECF No. 33), and Fitness’s Motion for Summary Judgment (Case No. 19-5686, ECF No. 36), and for the reasons set forth in the memorandum filed concurrently with this Order, **IT IS HEREBY ORDERED** as follows:

1. Plaintiff's Motion for Remand to Pennsylvania Court of Common Pleas (Case No. 20-4547, ECF No. 3) is **DENIED**.

2. Ventures' Motion to Consolidate (Case No. 20-4547, ECF No. 2) is **GRANTED**.

3. Plaintiff's Motion to Compel Depositions and Extend Deadlines (Case No. 19-5686, ECF No. 30) is **GRANTED in part** and **DENIED in part**. The motion is **GRANTED** insofar as the Court shall issue an amended scheduling order in the consolidated matter allowing the parties additional time for discovery and dispositive motions. The Motion is **DENIED** in all other respects.

4. Fitness's Motion for a Protective Order and to Compel Plaintiff's Deposition (Case No. 19-5686, ECF No. 31) is **GRANTED in part** and **DENIED in part**. The Motion is **GRANTED** insofar as Topics 1 through 4 and 14 are **STRICKEN** from Plaintiff's Federal Rule of Civil Procedure 30(b)(6) Notice of Deposition, subject to the limitations set forth in the accompanying memorandum. The Motion is **DENIED** in all other respects, subject to the limitations set forth in the accompanying memorandum.

5. Fitness's Motion for Summary Judgment (Case No. 19-5686, ECF No. 36) is **DENIED without prejudice**.

BY THE COURT:

/s/ Lynne A. Sitarski
LYNNE A. SITARSKI
United States Magistrate Judge